

06-11-01

A

UNITED STATES CONTINUING UTILITY PATENT APPLICATION

under 37 C.F.R. § 1.53(b)

EL 728371751US

Atty. Docket No. 04148-00012

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10: The undersigned hereby certifies that this United States Patent Application and all papers noted herein as being attached, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. § 1.10 today, **June 8, 2001**, and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

By

Express Mail Label No.: EL 728371751 US

11002 U.S. PRO
09/877169
06/08/01

Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Enclosed herewith is a continuing patent application and the following papers:

Inventors (or application identifier): **Clemens A. van Blitterswijk, Joost D. de Bruijn, and Yvonne P. Bovell**

Title of Invention: **METHOD FOR *IN VITRO* PRODUCTION OF BONE**

- ☒ Continuation
☐ Divisional
☐ Continuation-in-Part

of prior application No. 09/621,178, filed July 21, 2000; which is a continuation of U.S. Patent Application Serial No. 08/810,266, filed March 3, 1997.

1. ☒ Specification 14 pages (including specification, claims, abstract) / 1 claim (1 independent), after entry of the Preliminary Amendment.
2. ☒ Declaration/Power of Attorney:
 - ☒ Copy from Prior Application (for continuation or divisional application)
 - ☐ Newly Executed Declaration (for CIP application)
 - ☐ Deferred under 37 C.F.R. § 1.53(f)
 - ☐ Deletion of Inventor(s) - Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b)
 - ☒ Incorporation by Reference - The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein
3. ☒ 4 Distinct sheets each of ☒ Formal ☒ Informal Drawings

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4. ☒ Preliminary Amendment is enclosed.
☒ Amend the specification by inserting before the first line the sentence --This is a continuation of U.S. Patent Application Serial No. 09/621,178, filed on July 21, 2000; which in turn is a continuation of U.S. Patent Application Serial No. 08/810,266, filed March 3, 1997.--

5. ☐ Information Disclosure Statement
☐ Form 1449
☐ A copy of each cited prior art reference

6. ☒ Assignment
☐ Assignment with Cover Sheet attached
☒ Assignment filed in prior application to: IsoTis N.V., Bilthoven, NETHERLANDS.

7. ☒ Priority is hereby claimed under 35 U.S.C. § 119 based upon the following application(s) (provisional and foreign applications):

Country	Application Number	Date of Filing (day, month, year)
EPO	96202536.7	11 SEP 1996 (11.09.96)
EPO	96200553.4	01 MAR 1996 (01.03.96)

8. ☒ Priority is hereby claimed under 35 U.S.C. § 120 based upon the following application(s):

Country	Application Number	Date of Filing (day, month, year)
US	09/621,178	21 JUL 2000 (21.07.00)
US	08/810,266	03 MAR 1997 (03.03.97)

9. ☐ Priority document(s)

10. ☒ Small Entity Statement
☒ Small Entity status was proper in the prior application, and is still proper and desired.
☐ is attached
☐ is no longer claimed

11. ☐ Microfiche Computer Program (Appendix)

12. ☐ Nucleotide and/or Amino Acid Sequence Submission
☐ Computer Readable Copy
☐ Paper Copy (identical to computer copy)
☐ Statement verifying identity of above copies

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under 37 C.F.R. § 1.53(b)

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13. Calculation of Fees:

FEES FOR	EXCESS CLAIMS	FEE	AMOUNT DUE
Basic Filing Fee (37 C.F.R. § 1.16(a))			\$710.00
Total Claims in Excess of 20 (37 C.F.R. § 1.16(c))	0	18.00	\$0.00
Independent Claims in Excess of 3 (37 C.F.R. § 1.16(b))	0	80.00	\$0.00
Multiple Dependent Claims (37 C.F.R. § 1.16(d))	0	270.00	\$0.00
Subtotal - Filing Fee Due			\$710.00
	MULTIPLY BY		
Reduction by 50%, if Small Entity (37 C.F.R. §§ 1.9, 1.27, 1.28)	0.50		\$355.00
TOTAL FILING FEE DUE			\$355.00
Assignment Recordation Fee (if applicable) (37 C.F.R. § 1.21(h))	0	40.00	\$0.00
GRAND TOTAL DUE			\$355.00

14. PAYMENT is:

- ☒ The Commissioner is authorized to debit the instant filing fee, in the amount of \$355.00, and any other fees during the pendency of this application under 37 C.F.R. §§ 1.16, 1.17 and 1.18, to Deposit Account No. 19-0733. A duplicate copy of this letter is enclosed.
- ☐ not included, but deferred under 37 C.F.R. § 1.53(f)

15. All correspondence for the attached application should be directed to:

John P. Iwanicki
BANNER & WITCOFF, LTD.
28 State Street, 28th Floor
Boston, MA 02109
Telephone: (617) 227-7111
Facsimile: (617) 227-4399

16. Other: Transmittal of Formal Drawings; and return postcard.

Date: June 8, 2001

By: 

John P. Iwanicki
Reg. No. 34,618

JPI/lh
Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Clemens A. van Blitterswijk)
Serial No.: TBA) Examiner:
Filed: Herewith) Art Unit:
Title: METHOD FOR *IN VITRO* PRODUCTION)
OF BONE)

Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Attention: Official Draftsman


TRANSMITTAL OF FORMAL DRAWINGS

Please substitute the enclosed four (4) sheets of formal drawings for the corresponding drawings presently in the continuation application being filed herewith.

Please apply any other charges or credits to our Deposit Account No. 19-0733.

Respectfully submitted,

Dated: June 8, 2001


John P. Ivanicki, Reg. No. 34,628
BANNER & WITCOFF, LTD.
28 State Street, 28th Floor
Boston, MA 02109
(617) 227-7111